

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:20-cv-00286-MR**

<b>JOHN THOMAS JONES, III,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>TONI SELLERS HAIRE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**THIS MATTER** is before the Court on periodic review of the docket.

The Complaint passed initial review on the *pro se* incarcerated Plaintiff's claim that Defendants were deliberately indifferent to a serious medical need. [Doc. 11]. The North Carolina Department of Public Safety ("NCDPS") was unable to waive service for Defendants Toni Sellers Haire and Natalie Snipes Mills. Accordingly, the Court ordered the U.S. Marshals Service (USMS) to locate and serve those Defendants. [Doc. 24]. The record indicates that a summons was issued electronically on January 7, 2021 but no return of service has been filed to date.<sup>1</sup>

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<sup>1</sup> Defendant Mills filed an Answer on February 9, 2021. [Doc. 29].

In actions brought *in forma pauperis* under § 1915(d), “[t]he officers of the court shall issue and serve all process, and perform all duties in such cases.” 28 U.S.C. § 1915(d); see Fed. R. Civ. P. 4(c)(3) (“At the plaintiff’s request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915....”).

The USMS is instructed to inform the Court within 14 days of the status of its attempts to locate and serve Defendants Haire and Mills.

**IT IS THEREFORE ORDERED** that **the** USMS shall inform the Court within 14 days of this Order of the status of its efforts to locate and serve **Defendants Toni Sellers Haire and Natalie Snipes Mills.**

**IT IS SO ORDERED.**

Signed: March 29, 2021



Martin Reidinger  
Chief United States District Judge

